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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 11787/2024 & CM APPL. 49000/2024**

**UNIVERSAL BUSINESS CORPORATION THROUGH ITS
PROPRIETORPetitioner**

Through: Mr. Sahil Bhalaik, Mr. Tushar Giri,
Mr. Siddharth Anil Khanna, Mr. Ritik
Arora and Mr. Shivam Mishra,
Advocates.

versus

**MICRO AND SMALL ENTERPRISES FACILITATION COUNCIL
THROUGH ITS CHAIRMAN, DISTRICT MAGISTRATE & ANR.
.....Respondents**

Through: None.

**CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA**

**ORDER
28.08.2024**

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1. The Petitioner- Universal Business Corporation, is an enterprise registered as a Micro, Small and Medium Enterprises.¹ They have certain outstanding dues to be recovered from Respondent No.2. On account of alleged non-payment, they filed a reference petition dated 9th May, 2023 before Micro and Small Enterprises Facilitation Council, Delhi-Respondent No.1 in consonance with the provisions of the Micro, Small and Medium Enterprises Development Act, 2006.² The said case has been allocated

¹ "MSME"

² "MSMED Act"



claim/reference no. DL/01/M/CDC/00819, which is still pending at the stage of consideration.

2. It is pointed out that the first meeting was convened on 20th July, 2023 under Chairmanship of the District Magistrate (Central), Government of NCT of Delhi and although the order has not been made available to the Petitioner till date, notice was issued to Respondent No.2. Subsequently, on 18th October, 2023, Respondent No.1 issued a notice for convening the second meeting on 27th October, 2023, on which date, Respondent No. 2 failed to appear, as a result, hearing had to be adjourned.

3. The Petitioner contends that the conciliation proceedings have reached a standstill and there is no progress being made. In this regard, Petitioner also sent a notice through his Counsel on 6th May, 2024 to chairman of Respondent No.1 which was followed by filing an application dated 23rd July, 2024 requesting Respondent No. 1 to urgently take up the matter but to no avail.

4. It is also pointed out that as per Section 18(5) of the MSMED Act, the conciliation proceedings are required to be completed within a period of 90 days and the same has not been complied with.

5. In light of the foregoing, considering the limited prayer sought in the present petition is for conclusion of the conciliation proceedings at the earliest, the present petition is disposed of with the following direction:

a. Respondent No. 1 is directed to conclude the conciliation proceedings in Claim/ Reference No. DL/01/M/CDC/ 00819 expeditiously and it is expected that the next meeting shall be convened within a period of two weeks from today.

6. It is clarified that the Court has not examined the merits of the case,



and all rights and contentions of the parties are left open.

7. Disposed of along with pending application.

SANJEEV NARULA, J

AUGUST 28, 2024

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